



## Nebraska Office of Dispute Resolution Nebraska Judicial Branch



# Collaborative Child Welfare Practices (Mediation)

***Collaborative judicial child welfare practices are court-referred or child welfare-referred facilitative approaches that can be used to achieve permanency for children, improve timeliness, engagement of families in decision-making, and strengthened family systems throughout the child welfare or juvenile case.***

- ⇒ Voluntary referrals for families in need
  - ⇒ Immediately upon a child's removal – protective custody hearing
    - ⇒ Pre-adjudication
      - ⇒ Pre-disposition
        - ⇒ 12-month review hearing
          - ⇒ Pre-termination of parental rights
            - ⇒ Other key decision-making points for the child and family

Types of collaborative practices available through Nebraska's Office of Dispute Resolution— approved mediation centers\*:

- ❑ **FGC: (Family group conferencing):** This research -based child and family-centered approach may be used at any stage of the child welfare process, including as a voluntary referral. FGC Coordinators proficient in working with complex family dynamics in children and youth matters individually meet with, prepare, and engage family, extended family, and a network of others to create a meaningful and accountable family plan or a youth/young adult plan. Private family time is an essential component of the decision-making process.
- ❑ **PHC: (Pre-hearing conference facilitation – initial removal):** Scheduled by the juvenile court immediately preceding the initial protective custody hearing, knowledgeable child welfare facilitators assist in facilitating a brief (30-45 minute) conference to address key preliminary safety and permanency issues with parents, child welfare, attorneys, guardians ad litem.
- ❑ **PHPR: (Pre-hearing conference facilitation – twelve month permanency review):** Optimally scheduled 60 days prior to twelve-month permanency review court hearing, this court-ordered off-site facilitated prehearing conference requires the parents, child welfare workers, attorneys, and GALs to confront critical progress, permanency decisions and action steps for the future of the child.
- ❑ **PHTPR: (Facilitated prehearing conference of termination of parental rights matters):** Experienced, proficient facilitators in the matters of TPR, conflict dynamics, and future welfare of the child prepares and facilitates a conference of parents, attorneys, GALs and other professionals to confront the critical issues and determine next steps, including a consideration of relinquishment as well as contested trial, in a termination of parental rights matter.
- ❑ **CDM: (Child dependency mediation):** small, one-to-one private problem solving between family members and providers, or family members themselves.
- ❑ **EFGC: (Expedited family group conference):** A family group conference specially created for use in Nebraska cases at the initial removal stage.
- ❑ **Juvenile collaborative practices:** Working with youth in either delinquency or other matters through mediation, victim offender dialogue, FGC, and other restorative justice approaches.

### Research<sup>‡</sup> demonstrates that:

- ✓ Children achieve permanency more quickly in mediation or collaborative intervention than in non-mediated cases
- ✓ Reduction of re-abuse rates for children occurs more often in FGC cases than non-FGC
- ✓ Increase of using extended family members care for children at risk in FGC cases
- ✓ Reduction in the number of multiple placements – FGC plans create stability for children

<sup>‡</sup>American Humane Association, [www.fgdm.org](http://www.fgdm.org)

### Collaborative practices are those in which:

- ✓ Family members are empowered to make decisions
- ✓ Children's voices are at the center of the process
- ✓ Relationships among family members and friends are strengthened
- ✓ Cases reach permanency more quickly when mediated
- ✓ Specially trained and experienced independent facilitator or mediator convenes and facilitates dialogue

\*As funding and other resources are available.